

28458. Fresh turnip greens. (F.D.C. No. 47810. S. Nos. 22-755/6 T.)

QUANTITY: 50 baskets, each containing 36 bundles, at Little Rock, Ark.

SHIPPED: 7-19-62, from Pueblo, Colo., by E. W. Lignon Produce Co.

LIBELED: 7-25-62, E. Dist. Ark.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, endrin, which was unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for endrin on turnips had been prescribed by regulations.

DISPOSITION: 7-27-62. Default—destruction.

28459. Stuffed peppers. (F.D.C. No. 45332. S. No. 24-208 R.)

QUANTITY: 36 cases, 12 1-qt. jars each, at Wichita, Kans.

SHIPPED: 11-8-60, from Chicago, Ill., by Manhattan Pickle Co.

LABEL IN PART: (Jar) "Farm Home Brand Mild Stuffed Peppers * * *
Packed by Manhattan Pickle Co., Chicago, Ill."

LIBELED: 1-11-61, Dist. Kans.

CHARGE: 402(a)(3)—when shipped, the article contained insects.

DISPOSITION: 3-29-61. Default—destruction.

MEAT PRODUCTS AND POULTRY

28460. Ham. (F.D.C. No. 45993. S. No. 2-432 P.)

INFORMATION FILED: 8-7-61, S. Dist. Fla., against Jefferies Market, Inc., and George A. Jefferies, Jr., president.

ALLEGED VIOLATION: Between 3-10-58 and 3-21-58, while ham was being held for sale after shipment in interstate commerce, the defendants caused the ham to be held in a building accessible to rodents, and insects, and to be exposed to contamination by rodents and insects, which acts resulted in the ham being adulterated.

CHARGE: 402(a)(3)—contained rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 9-7-62. Corporation—\$1,000 fine; individual—\$1,000 fine.

28461. Vienna sausage. (F.D.C. No. 46758. S. No. 32-299 R.)

QUANTITY: 4,000 cases, 48 4-oz. cans each, at San Juan, Ponce, and Mayaguez, P.R.

SHIPPED: Between 2-3-61 and 2-8-61, from Opelousas, La., by Cleveland Provision Co.

LABEL IN PART: (Can) "Marca Carmella Vienna Sausage Cereal Added Packed In Water * * * Packed for Julio Garriga, Jr., San Juan, Puerto Rico."

RESULTS OF INVESTIGATION: Examination showed that the article contained added cereal and added water.

LIBELED: 12-6-61, Dist. P.R.

CHARGE: 402(b)(2)—when shipped, cereal and water had been substituted in whole or in part for meat.

DISPOSITION: 7-24-62. Consent—claimed by Packers Provision Co., Chicago, Ill., and released under bond for relabeling.

28462. Frozen chickens. (F.D.C. No. 47447. S. No. 41-735 T.)

QUANTITY: 1,720 chickens at Woodridge, N.Y.

SHIPPED: 2-17-62, from Toms River, N.J., by S & L Poultry Co., Inc.

RESULTS OF INVESTIGATION: Examination showed that about 12.5 parts per billion of diethylstilbestrol was contained in the chicken livers.

LIBELED: 4-13-62, S. Dist. N.Y.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive namely, diethylstilbestrol, which was unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 6-28-62. Default—destruction.

NUTS AND NUT PRODUCTS*

28463. Cashew nuts. (F.D.C. No. 46605. S. Nos. 48-342 T.)

QUANTITY: 18 cases, 100 bags each, at San Francisco, Calif., in possession of Circus Foods, Inc.

SHIPPED: 3-24-61, from New York, N.Y.

LABEL IN PART: (Bags) "Circus Salted New Smokehouse Flavored (Artificially) Cashews * * * Net Wt. 60/100 Oz. Circus Foods, a division of USTCO Products Corporation, San Francisco, Calif."

RESULTS OF INVESTIGATION: The article was repacked and labeled by the dealer from bulk stock shipped as described above. Examination showed that the quantity of contents statement was inconspicuous due to being printed in very small type near the bottom of the bag against a poorly contrasting background.

LIBELED: 10-25-61, N. Dist. Calif.

CHARGE: 403(f)—while held for sale, the information required under 403(e)(2) to appear on the label, namely, the quantity of contents statement, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 7-17-62. Default—destruction.

28464. Cashew nuts. (F.D.C. No. 47259. S. No. 50-023 T.)

QUANTITY: 26 25-lb. cans at San Francisco, Calif.

SHIPPED: On unknown dates, from outside the United States.

LIBELED: 3-22-62, N. Dist. Calif.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 5-21-62. Default—destruction.

28465. Unshelled filberts and unshelled mixed nuts. (F.D.C. No. 45321. S. Nos. 24-368 R, 24-370 R.)

QUANTITY: 13 cases, 12 1-lb. bags each of filberts and 30 cases, 12 1-lb. bags each of mixed nuts, at Wichita, Kans.

SHIPPED: 10-25-60 and 12-7-60, from Dundee, Oreg., and Dallas, Tex.

*See also No. 28404.